GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA

UNSTARRED QUESTION NO:1320
ANSWERED ON:23.11.2016
Legal Entitlements to Children
Samal Dr. Kulamani

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether the Law Commission has submitted the report on Early Childhood Development and Legal Entitlements suggesting inclusion of new fundamental right in Indian Constitution for guaranteeing a child"s right to basic care and assistance, protection from neglect, harm and exploitations; and
(b) if so, the details thereof and the action taken by the Government in this regard?

Answer

ANSWER

MINISTER OF STATE FOR LAW AND JUSTICE AND ELECTRONICS AND INFORMATION TECHNOLOGY

(SHRI P.P. CHAUDHARY)

(a) and (b) : Yes Madam. The Law Commission of India had submitted its Report No. 259 titled "Early Childhood Development and Legal Entitlements" on 27.08.2015. Under para 7.1 (i) of Chapter-VII, titled "Conclusions and Recommendations" the Law Commission has inter-alia recommended the following:-

i. It is suggested that, as per the recommendation of the NCRWC, a new Article 24A be inserted to Part III of the Constitution to ensure that the child's right to basic care and assistance becomes an enforceable right. The Article should read as follows: "24A. Every child shall have the right to care and assistance in basic needs and protection from all forms of neglect, harm and exploitation."

The Ministry of Women and Child Development has informed that they have forwarded the recommendations and suggestions contained in Report No. 259 of the Law Commission of India to all States/UTs vide D.O. letter dated 18.04.2016 followed by reminders dated 30.06.2016 and 26.08.2016 for their inputs/views/comments.

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